

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Gerald McMAHON et al.

Title: HETEROARYLCARBOXAMIDE COMPOUNDS ACTIVE AGAINST

PROTEIN TYROSINE KINASE RELATED DISORDERS

Appl. No.: 10/713,201

Filing Date: 11/17/2003

Examiner: Unassigned

Art Unit: 1641

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Final OG Notice from Office of Patent Legal Administration dated August 5, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003*.

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/948,090, filed 09/07/2001, now U.S. Patent No. 6,316,479. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the

002.1173706.1

present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

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Respectfully submitted

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THINFORMATION DISCLOSURE	Application Number	10/713,201	
2004 STATEMENT BY APPLICANT	Filing Date	11/17/2003	
APR 1 9 2004 2	First Named Inventor	Gerald McMAHON	
(F)	Group Art Unit	1641	
se as many sheets as necessary)	Examiner Name	Unassigned	
Sheet 1 of 18	Attorney Docket Number	034536-0684	

				U.S. PATENT DOCUMENTS	S	
Examiner	Cite	U.S. Patent		Name of Patentee or Applicant of	Date of Publication of	Pages, Columns, Lines, Where Relevant
Initials*	No.1	Number	Kind Code ² (if known)	Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
	A1	4,087,535		HEUBACH	05-02-1978	
	A2	4,284,786		KÄMMERER et al.	08-18-1981	
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Examiner	Date	
Signature	Considered	

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			Group Art Unit	1641	
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				U.S. PATENT DOCUMENTS	3	
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Examiner Initials*	Cite No. ¹	Office	oreign Patent D 3 Number ⁴	Ocument Kind Coc (if know		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	A32	ΑU	31010/93		Α	ZENECA LIMITED	07-22-1993		
	A33	DE	25 24 929		A1	HOECHST AG	12-16-1976		
	A34	EP	0 359 184		B1	BRISTOL-MYERS SQUIBB COMPANY	03-21-1990		

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Sheet	3	of	18	Attorney Docket Number	034536-0684	

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	A35	EP	0 413 329	В1	ALCON LABORATORIES, INC.	02-05-1997		
	A36	EP	0 520 722	B1	ZENECA LIMITED	12-30-1992		
·	A37	EP	0 522 937	A1	RHONE-POULENC RORER SA	01-13-1993		
	A38	EP	0 537 742	B1	MITSUBISHI CHEMICAL CORPORATION	08-21-1996		
	A39	EP ·	0 551 230	B1	ROUSSEL-UCLAF	07-19-1995		
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	A42	EP	0 607 777	B1	HOECHST AKTIENGESELLSCHAFT	12-09-1998		
	A43	EP	0 645 145	B1	BRISTOL-MYERS SQUIBB COMPANY	03-12-1997		
	A44	ΕP	0 665 013	B1	AVENTIS PHARMA DEUTSCHLAND GmbH	10-24-2001		
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Oignature	Considered	

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Sheet	Sheet 4 of 18			Attorney Docket Number	034536-0684	

				F	OREIGN PATENT DOCUMEN	TS		
Examiner Initials*	Cite No. ¹	Office		ent d Code ⁵ known)	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	A50	wo	92/02444	A1	THE DOW CHEMICAL COMPANY	02-20-1992		
	A51	wo	92/18481	A1	RHONEPOULENC RORER INTERNATIONAL	10-29-1992		
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	A53	wo	92/21641	A1	PFIZER INC.	12-10-1992		
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			•	Group Art Unit	1641	
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Sheet	5	of	18	Attorney Docket Number	034536-0684	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
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	STATEMENT	BY APPLI	ICANT	Filing Date	11/17/2003		
				First Named Inventor	Gerald McMAHON		
		•		Group Art Unit	1641		
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Sheet	8	of	18	Attorney Docket Number	034536-0684		

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	INFORMATION	ON DISCLO	SURE	Application Number	10/713,201	
	STATEMENT	ΓBY APPLI	CANT	Filing Date	11/17/2003	
				First Named Inventor	Gerald McMAHON	,
				Group Art Unit	1641	
	(use as many s	heets as ne	cessary)	Examiner Name	Unassigned	
Sheet	16	of	18	Attorney Docket Number	034536-0684	

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number. Substitute for form 1449B/PTO Complete if Known **Application Number** 10/713,201 INFORMATION DISCLOSURE STATEMENT BY APPLICANT 11/17/2003 Filing Date Gerald McMAHON First Named Inventor 1641 Group Art Unit (use as many sheets as necessary) **Examiner Name** Unassigned 034536-0684 Sheet 17 of 18 Attorney Docket Number

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